

REMARKS

The Office Action of December 26, 2007 has been reviewed and the Examiner's comments carefully considered. Claims 1-8, 11-18, 20-24, 27, 29-31, 34-35, 37-39, 42-43, and 45 are pending. Claims 46, 47, 48, and 49 have been added and are in independent form to more particularly define the invention. No new matter has been added. The remaining pending claims are believed to define over the prior art for the following reasons.

35 U.S.C. § 103 Rejections

Claims 1-4, 6-8, 12-18, 20-24, 29-31, 35, 37-39, 43, and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over United States Publication No. 2001/0037255 (Tambay) in view of United States Patent No. 5,974,388 (Durham). Further, claims 5, 11, 27, 34, and 42 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Tambay and Durham in view of United States Patent No. 6,959,284 (Howes).

The present invention is directed to a method and system for reporting product data having (a) an input interface for selecting products, (b) a database comprising product data, (c) a program that retrieves selected product data for the products selected by the user; and (d) an output interface that outputs and illustrates selected product data retrieved from the database. At least some of the product data is adjustable, such as component mixing ratio, RTS price and coating component data (code, description, price and/or package size).

Tambay discloses a system for conducting commerce including a community of participants in a market segment of an industry comprising: a computer network; a user; the market segment within the industry of interest to the user; a database for information relevant to the industry or to the market segment accessible to the user via the computer network, the database comprising at least one of: data, a value-added service, and a commerce service; and a user interface, wherein the user interface provides access to the information.

Durham discloses a call center system for providing paint product related information to customers and recording customer telephone calls. More specifically, the Durham system includes a memory device (18) storing a plurality of paint product information and a plurality of customer information. Durham further

includes an input device (12) for generating a customer request for information related to a selected one of the paint products and generating a call log graphic display (43) including the caller information (44), and for selecting a portion of the paint product information. In addition, the Durham system includes a display device (14).

The present invention requires the computer system to be interactive with the user, such that product data retrieved from the database is adjustable. The invention, defined by the claims, specifically requires adjustable product data to include one or more of a component mixing ratio, a RTS price and coating component data (comprising one or more of a code, a description, a price, and a package size).

In the Office Action dated December 26, 2007, the Examiner readily admits that Tambay does not include the adjustable data fields including a component mixing ratio, a RTS price and coating component data comprising one or more of a code, a description, a price, and a package size. In fact, Tambay does not disclose adjusting any data, as the system described in Fig. 2 of Tambay teaches listing ingredients in a formulation calculator having an end result using an industry standard to combine the ingredients. This process is expressly non-adjustable. Also, the Examiner states that Durham includes a screen (Fig-14) having fields for Primer, Filler, Top Coat, Clear, and Mix Ratio. However, no consideration whatsoever is given in Durham to indicate any need for these fields to be adjusted, other than the Examiner's assertion thereof. Furthermore, Durham discloses call center software, which in this context, adjusting product data is unnecessary. The Examiner's statements amount to conclusory statements. The Examiner has provided no relevant citation or substantiated reference to support the suggested conclusion.

Applicants respectfully assert that the Examiner has failed to provide *prima facie* case of obviousness as required under 35 U.S.C. §103(a). Taken together, Tambay and Durham lack any rationale for using the adjustable product data as required in the claims. In fact, the present invention utilizing adjustable product data exhibits advantages not present in the prior art. The present system minimizes the time it takes to compare different paints by allowing the user to adjust

at least some of the product data illustrated in the output interface. In the prior art, product data is displayed informationally only and is not adjustable. Therefore, one of ordinary skill in the art would not have expected to achieve the outcome of the present invention using any combination of Tambay, Durham and any other prior art. As such, the claims are not obvious over the combination of Tambay and Durham and the rejection of claim 1 under 35 U.S.C. §103(a) should be withdrawn.

The pending claims 2-8, 11-18, and 20 further support the system of claim 1. As such, claims 2-8, 11-18, and 20 define over the prior art.

Independent claim 21 is directed to a computer-generated report illustrating the contents of an output interface corresponding to the system of claim 1. The discussion above relative to Tambay or Durham is incorporated herein. In the absence of any rationale for displaying adjustable product data or an output device, there, likewise, is no reason for one skilled in the art to produce a computer-generated report from adjustable output product data. For the reasons stated hereinabove, Applicant respectfully requests reconsideration of independent claim 21. The pending claims 22-24 and 27 further support the system of claim 21. As such, claims 22-24, and 27 define over the prior art.

Independent claim 29 is directed to a computer-based method for generating a report illustrating the contents of an output interface corresponding to the system of claim 1. The discussion above relative to Tambay or Durham is incorporated herein. For the reasons stated hereinabove, Applicant respectfully requests reconsideration of independent claim 29. The pending claims 30-31, 34-35, and 37 further support the system of claim 29. As such, claims 31, 34-35, and 37 define over the prior art.

Independent claim 38 is directed to a computer-based method for comparing product data corresponding to the system of claim 1. The discussion above relative to Tambay or Durham is incorporated herein. For the reasons stated hereinabove, Applicant respectfully requests reconsideration of independent claim 38. The pending claims 39, 42-43, and 45 further support the system of claim 38. As such, claims 39, 42-43, and 45 define over the prior art.

New Claims

New Claim 46 depends from claim 1 and includes features that are not considered by either Tambay or Durham. In particular, the product data includes competitive products concurrently displayed with product data of the user selected data. Tambay and Durham fail to teach or disclose: 1) outputting product data of competitive products; and 2) providing adjustable competitive product data in an output interface concurrently with user selected product data. Providing product data of competitive products in the output interface allows the user to compare product data and more easily determine the value of the selected product in relation to others on the market.

More particularly, the system of new claim 46 includes a program and output interface, the output interface outputs and illustrates at least some of the selected product data of competitive products concurrently with the selected product and its product data. The output interface shows the competitive product's product data at the same time as the selected product data of products selected by the user. The output interface arranges the selected product data and competitive product data, and facilitates comparison.

Competitive products are those made by competing brands. As discussed in the specification at paragraph [0031], a product brand refers to a group of products sold by a supplier. Within a product brand are product lines and products.

As set forth in MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, each and every claim limitation must be considered. Where claimed limitations are simply not present in the prior art, a *prima facie* rejection is not supported. First, neither Tambay nor Durham disclose a system that provides an output interface outputting competitive data with user selected product data. Second, neither Tambay nor Durham discloses a system that facilitates comparison by providing adjustable product data associated to competitive data and user selected data. Accordingly, the Durham patent and the Tambay publication provide no reason to practice all of the elements of new claim 46.

Furthermore, it would not have been obvious to combine Tambay and Durham to form a system capable of adjusting the competitive and end user selected product data concurrently in order to refine a comparison. Even if competitive data were available for comparison in Tambay or Durham, which it is not, Applicant submits that in Tambay the user selects input data for use in defining and refining a search of a database. After selection is completed, information relating to the selected search criteria is retrieved from a database and the search results are displayed to the user. Therefore, Tambay does not disclose that search results displayed can show competitive data or can be adjusted for comparison purposes. In Durham, the user has no ability to adjust product data retrieved from the database and illustrated in an output interface as recited in the claimed invention. Moreover, in Durham, there is no suggestion of generating any product data relating to competitive product data since it is merely a call center system for supporting one brand. For these reasons, Applicant submits it would not have been obvious to one skilled in the art to try to combine Tambay and Durham to create the claimed invention. For these reasons, Applicant believes that new claim 46 is in condition for allowance.

New claim 47 is directed to a computer-generated report illustrating the contents of an output interface corresponding to the system of claim 46. Claim 47 has been added to further include product data of competitive products concurrently displayed with product data of user selected data. As discussed above, neither Tambay nor Durham teach or disclose a system that provides an output interface outputting competitive data concurrently or a system that facilitates comparison by providing adjustable product data associated to competitive data and user selected data, and therefore new claim 47 is in condition for allowance.

New claim 48 is directed to a computer-based method for generating a report illustrating the contents of an output interface corresponding to the system of claim 46. Claim 48 has been added to further include product data of competitive products concurrently displayed with product data of user selected data. As

discussed above, neither Tambay nor Durham teach or disclose a method that provides an output interface outputting competitive data concurrently or a method that facilitates comparison by providing adjustable product data associated to competitive data and user selected data, and therefore new claim 48 is in condition for allowance.

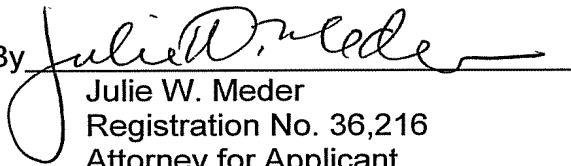
New claim 49 is directed to a computer-based method for generating a report illustrating the contents of an output interface corresponding to the system of claim 46. Claim 49 has been added to further include product data of competitive products concurrently displayed with product data of user selected data. As discussed above, neither Tambay nor Durham teach or disclose a method that provides an output interface outputting competitive data concurrently or a method that facilitates comparison by providing adjustable product data associated to competitive data and user selected data, and therefore new claim 49 is in condition for allowance.

Application No. 10/777,798
Paper Dated: March 26, 2008
In Reply to USPTO Correspondence of December 26, 2007
PPG Docket No. 1913A1 (Attorney Docket No. 3152-080249)

Conclusion

Claims 1-8, 11-18, 20-24, 27, 29-31, 34-35, 37-39, 42-43, and 45 are believed to be in condition for allowance, along with new claims 46-49. Favorable action is requested.

Respectfully submitted,
THE WEBB LAW FIRM

By 
Julie W. Meder
Registration No. 36,216
Attorney for Applicant
436 Seventh Avenue
700 Koppers Building
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com